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16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 GARY YAGHYAZARIAN and ELENA
19 THORMAHLEN, individually and on behalf of
20 others similarly situated,
21 Plaintiff,
22 v.
23 PROGRESSIVE DIRECT INSURANCE
24 COMPANY and PROGRESSIVE NORTHERN
25 INSURANCE COMPANY,
26 Defendants.

27 Case No.: 2:22-cv-01339-CDS-VCF
28 **STIPULATION AND [PROPOSED]
ORDER FOR EXTENSION OF TIME
FOR PROGRESSIVE DIRECT
INSURANCE COMPANY TO RESPOND
TO PLAINTIFFS' AMENDED
COMPLAINT**
(First Request)

29 Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure, Defendant
30 Progressive Direct Insurance Company ("Progressive Direct"), by its undersigned counsel, and
31 Plaintiffs Gary Yaghyazarian and Elena Thormahlen, through their undersigned counsel,
32 hereby stipulate and agree, subject to the Court's approval, pursuant to Local Rule 7-1 and

1 Local Rule IA 6-1 to extend the deadline for Progressive Direct to answer or otherwise respond
2 to Plaintiffs' Amended Complaint (deadline is currently November 15, 2022), as follows:

3 1. Plaintiff Gary Yaghayazarian filed the original complaint in this action on August 17,
4 2022, solely against Progressive Direct. *See* Dkt. No. 1.

5 2. Progressive Direct, after waiving service, responded to the complaint by filing a
6 timely Motion to Dismiss on October 10, 2022. *See* Dkt. Nos. 5, 18.

7 3. An Amended Complaint was filed on November 1, 2022, adding a new plaintiff,
8 Elena Thormahlen, and a new defendant, Progressive Northern Insurance Company
9 ("Progressive Northern"). *See* Dkt. No. 20.

10 4. Pursuant to Rule 15(a)(3) of the Federal Rules of Civil Procedure, *unless the Court*
11 *orders otherwise*, Progressive Direct's last day to answer or otherwise respond to the Amended
12 Complaint is November 15, 2022.

13 6. Progressive Northern waived service of the Amended Complaint, thereby making its
14 answer or other response due on January 9, 2023. *See* Dkt. No. 32.

15 7. Progressive Direct and Progressive Northern are both represented by the
16 undersigned counsel at King & Spalding LLP and Santoro Whitmire. *See* Dkt. Nos. 21, 27, 28,
17 29, 30, 31, 33, 34, 35.

18 8. In the interest of efficiency and appropriate coordination of this action, the parties
19 have agreed that both Defendants should have the same response deadline, and that Progressive
20 Direct's deadline to answer or otherwise respond to the Amended Complaint should be
21 extended to January 9, 2023, so that both Defendants have the same response deadline.

22 9. Accordingly, all parties hereby stipulate, subject to the Court's approval, that
23 Progressive Direct's answer or other response to Plaintiffs' Amended Complaint is due by
24 January 9, 2023. This is the first request to extend the foregoing deadlines, and all parties
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1 submit that good cause exists for these extensions and that they are not intended for purposes
2 of delay.

3

4 **WHEREFORE**, Defendant Progressive Direct Insurance Company respectfully
5 requests that the Court grant this Unopposed Motion and thereby extend its time to answer or
6 otherwise respond to the Amended Complaint to January 9, 2023.

7

8 Respectfully submitted on November 14, 2022.

9

10 /s/ Andrew J. Shamis

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29 IT IS SO ORDERED.

30 

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32 Cam Ferenbach
United States Magistrate Judge

33

34 11-15-2022
35 DATED _____